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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/001,954	10/31/01	Klaus Vogler	LMPY-15010

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Date Mailed: 01/30/02

RESPONSE TO REQUEST FOR NONPUBLICATION UNDER 37 C.F.R. 1.213

Publication and General Rules Issues

In response to your request for NONPUBLICATION under 37 C.F.R. 1.213 dated 01/16/02, the Office is unable to comply with the request because:

- The articles such as "a", "an", and "the" are not included as the first words in the title of an application. They are considered to be unnecessary to the understanding of the title.
- The words "new", "improved", "improvement of", "improvement in", or "improvement relating to" are not included as the first words in the title of an application because a patent application is, by nature, a new idea or improvement. See MPEP 606.
- The title appears on the filing receipt in sentence case for publication in the Annual Index of Patents.
- Amendments are not accepted in provisional applications. See 37 CFR 1.53(c).
- An amendment or Application Data Sheet is needed to make this change.
- The inventor's residence will only include the city and state for U.S. residences or city and country for residences outside the U.S. See MPEP 605.02.
- Continuity claimed under 35 USC 120 cannot be added to the Filing Receipt without the applicant supplying the relationship (continuation, divisional, or continuation-in-part) in an amendment or Application Data Sheet.

- Small entity status was previously claimed in this application. To notify the Office of a loss of entitlement to small entity status, see 37 CFR 1.27(g). To have a good faith error in claiming small entity status excused, see 37 CFR 1.28(c).
- The request for non-publication was not timely filed. A request for non-publication must be submitted upon filing of an application. The application is scheduled to be published on the date specified on the filing receipt.
- The request for non-publication has not been recognized because it is not conspicuous as required by 37 CFR 1.213.
- There was no prior request for non-publication in this application. The request to rescind the non-publication request will not be processed.
- Your request for non-publication will not be acknowledged because this application is not eligible for publication. Only utility and plant applications filed on or after November 29, 2000 are eligible for publication.
- The "Non-Publication Request" indicator is correct. If there was a proper request submitted at the time of filing, the notation on the filing receipt will be "Yes". If no such request was made, the notation will be "No".

Thanh Vo

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